

481—105.1 (10A,99B) Definitions. The definitions in rule 481—104.1(10A,99B) are incorporated by reference in this chapter. In addition, the following definitions apply to the possession and use of registered amusement devices.

“Amusement device registration availability” means a registration position which becomes available:

1. When a distributor or owner:
 - Is going out of business,
 - Fails to renew a registration by the renewal due date, or
 - Has an electrical or mechanical device seized by law enforcement and the seizure is upheld through a forfeiture hearing; or

2. When any other legal order has been issued which pertains to violations of Iowa Code chapter 99B, 123, or 123A.

“Counting mechanism” means an appliance that tallies the volume of business of an individual amusement device.

“Distributes” means to deliver, to provide or to otherwise make available in Iowa amusement devices required to be registered in accordance with these rules.

“Distributor” means, for the purposes of Iowa Code sections 99B.10, 99B.10A, and 99B.10B, any person who owns electrical or mechanical amusement devices that are registered as provided in Iowa Code section 99B.10(4) and that are offered for use at more than a single location or premises.

“Manufacturer” means, for the purposes of Iowa Code sections 99B.10, 99B.10A, and 99B.10B, any person engaged in business in this state that originally produces an electrical or mechanical amusement device required to be registered under Iowa Code section 99B.10(4) or produces individual components for use in such a device.

“Manufacturer’s representative” means, for the purposes of Iowa Code sections 99B.10, 99B.10A, and 99B.10B, any person engaged in business in this state that promotes or sells electrical or mechanical amusement devices required to be registered under Iowa Code section 99B.10(4) or promotes or sells individual components for use in such devices on behalf of a manufacturer of such devices or components. An agreement between the manufacturer’s representative and the manufacturer may be in place, but is not necessary.

“Operation” means that a registered amusement device is made available for use by the public or made available for use on the premises of a charitable organization.

“Organization” means an entity that meets the requirements of Iowa Code section 99B.7(1)“m.”

“Owner” means, for the purposes of Iowa Code sections 99B.10A and 99B.10B, any person that owns an operable registered electrical or mechanical amusement device. An owner that operates for profit is allowed up to two machines at a single location. An owner that meets the requirements of Iowa Code section 99B.7(1)“m” is allowed up to four machines at a single location.

“Person” means a person as defined by Iowa Code section 4.1.

“*Premises*” means a location where one or more registered amusement devices are available for public use.

“*Prize*” means a ticket(s) or token(s) that is dispensed by a registered amusement device as an award for use and that is worth up to \$50 in merchandise.

“*Registered amusement device*” means an electrical or mechanical amusement device in operation subject to registration by the department pursuant to Iowa Code section 99B.10(1)“*f*” and includes both the external and internal components. Any change in the registered amusement device, including the external and internal components of the registered amusement device, constitutes a new registered amusement device for which registration by the owner is required. The word “change” as used herein does not include repairs or replacement of parts that do not change or alter the operation of the device as originally registered by the owner. If the repairs or replacement parts alter the operation of the device as originally registered, then the device must be reregistered before it is made available for operation.

“*Responsible party*,” as listed on the amusement device registration, means the owner of the amusement device(s).

“*Security mechanism*” means an appliance which prevents a person from operating an electrical or mechanical amusement device by not allowing the acceptance of money until action is taken by the owner or owner’s designee to allow the person to operate the device.

[ARC 1930C, IAB 4/1/15, effective 5/6/15]